IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

OP.No. 7322 of 2003(V)

PETITIONER:

K.V.DEVASSY, S/O. VARKEY,
KONOOPARAMBAN HOUSE, KULAYADAM, CHERUVALOOR,
THRISSUR.

BY ADV. SRI.M.C.JOHN
SRI.C.PRABIN BENNY

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY (TAXES) DEPARTMENT, THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF EXCISE,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER,
PALAKKAD.

4. THE DEPUTY TAHSILDAR, REVENUE RECOVERY
MUKUNDAPURAM TALUK, IRINJALAKUDA.

BY GOVERNMENT PLEADER SRI. BASANT BALAJI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP 12822 OF 2003 IN OP 7322 OF 2003

DISMISSED

25.6.2007 SD/-C.N.RAMACHANDRAN NAIR, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF G.O.(P) NO. 71/96/TD DATED 29.3.1996

EXT.P2 TRUE COPY OF THE COMMUNICATION DATED 7.6.1996 BEING NO. XA1-10239/98

EXT.P3 TRUE COPY OF THE COMMUNICATION DATED 5.8.2000 BEING NO. XG3-14675/2000(1) ISSUED BY THE THIRD RESPONDENT.

EXT.P4 TRUE COPY OF NOTICE NO. P7-4899/02 DATED 30.9.2002 ISSUED BY THE THIRD RESPONDENT.

EXT.P5 TRUE COPY OF THE REVENUE RECOVERY NOTICE NO. D2-5751/2003 DATED 20.2.2003 ISSUED BY THE FOURTH RESPONDENT.

EXT.P6 TRUE COPY OF GO(P) NO. 88/2000/TD DATED 2.6.2000

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

O.P. No. 7322 of 2003

Dated this the 25th day of June, 2007

JUDGMENT

Since the issue raised is covered in favour of the petitioner vide Division Bench judgment in W.A.No. 1027 of 2005 and connected cases dated 27.6.2006, this O.P. is also disposed of with the same observations, findings and directions as contained in that judgment.

(C.N.RAMACHANDRAN NAIR)
Judge